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Docket No. 1747/55672-AA-PCT-US/JPW/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gloria C. Li et al.

Serial No.: 10/712,642 Examiner: Jane Zara

Filed : November 12, 2003 Group Art Unit: 1635

For : USES OF DNA-PK

1185 Avenue of the Americas
New York, New York 10036
October 15, 2008Mail Stop Amendment
Commissioner for Patents,
P.O. Box 1450
Alexandria, VA 22313-1450COMMUNICATION IN RESPONSE TO SEPTEMBER 17, 2008 NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

This Communication is being submitted in response to the September 17, 2008 Notice of Non-Compliant Amendment (37 CFR 1.121) issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the September 17, 2008 Notice is due on October 17, 2008. Accordingly, this Communication is being timely filed.

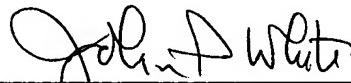
The Notice states that the Amendment filed on June 13, 2008 (actually filed June 9, 2008) does not comply because claims 29, 30, 35 and 36 are labeled "Currently Amended" yet indicate no markings of added or deleted language. A copy of the Notice is attached hereto as **Exhibit A**. In response, applicants note that claims 29, 30, 35 and 36 should be notated as "Previously Presented." Accordingly, applicants attach hereto as **Exhibit B** a corrected listing of all of the claims.

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If a telephone interview would be of assistance in advancing prosecution of the subject application, the undersigned attorney invites the Examiner to telephone him at the telephone number provided below.

No fee is believed to be due in connection with this communication. If any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account Number 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
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JP White 10/15/08

John P. White	Date
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